

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF PENNSYLVANIA  
EASTERN DIVISION**

YANA ARUTYUNYAN, et al.,	)	
	)	
Plaintiffs,	)	Civil Action No. 1:13-CV-00344 SPB
	)	
	)	Chief Judge Conti
v.	)	
	)	Magistrate Judge Baxter
ABERCROMBIE & FITCH STORES, INC.,	)	
	)	
Defendant.	)	

**JOINT MOTION FOR ENTRY OF ORDER APPROVING  
SETTLEMENT**

Plaintiffs Yana Arutyunyan and Stephanie Barber (“Plaintiffs”), and Defendant Abercrombie & Fitch Stores, Inc. (“Defendant”), by and through their respective undersigned counsel, hereby jointly request that this Court approve the settlement reached in this case, and in support thereof, state:

1. This case involves various claims made by the Plaintiffs, including but not limited to claims made under the Fair Labor Standards Act (“FLSA”). Defendant denies any and all liability and/or wrongdoing, and disputes the merits of Plaintiffs’ claims.
2. In order to avoid protracted litigation and the costs associated therewith, through negotiations and compromise, Plaintiffs and Defendant have reached a settlement between them that resolves all of Plaintiffs’ claims, including attorney’s fees and costs.
3. Plaintiffs and Defendant herein state that the settlement reached between them with respect to Plaintiffs’ claimed FLSA damages represents a fair and reasonable resolution of disputed claims and that the terms of the settlements are acceptable to Plaintiffs and Defendant.

4. The Parties have reached a final resolution of this matter, with Defendant entering into an individual Settlement Agreement for the court's review and approval. Under *Lynn's Food Stores, Inc. v. United States*, 679 F. 2d 1350 (11<sup>th</sup> Cir. 1982), claims for wages arising under the FLSA may be settled or compromised with the approval of the Court or the Secretary of Labor.

5. The parties' settlement agreement, and terms therein, is specifically incorporated herein by reference and is set forth and attached hereto as **Exhibit A**. The Plaintiffs have approved and accepted the parties' Settlement Agreement. *See id.*

6. The Parties further represent that, in accordance with the terms of the Settlement Agreement, Plaintiffs, having had the benefit of counsel, are receiving a reasonable and satisfactory recovery. The Parties further agree that the settlement terms they have reached in this action represent a fair and equitable resolution of this matter.

7. Having agreed to the terms of the settlement reached, the Plaintiffs and the Defendant respectfully request that this Court approve the settlement between the parties.

8. The Parties are submitting a proposed order for the Court's review, for purposes of the instant motion.

WHEREFORE, the Parties respectfully request this Honorable Court approve the parties' settlement and dismiss this action with prejudice.

Respectfully submitted,

VORYS, SATER, SEYMOUR AND PEASE LLP

/s/Natalie M. McLaughlin

Melissa McCoy Gormly (Pa. I.D. 93663)  
Foster Plaza XI, Third Floor  
790 Holiday Drive  
Pittsburgh, Pennsylvania 15220  
Telephone: (412) 921-2864  
Facsimile (412) 922-5639  
Email: mmgormly@vorys.com

Mark A. Knueve (OH #0067074)  
(admitted pro hac vice)  
Natalie M. McLaughlin (OH #0091154)  
(admitted pro hac vice)  
52 East Gay Street  
Columbus, Ohio 43215  
Telephone: (614) 464-6387  
Facsimile: (614) 719-4808  
Email: maknueve@vorys.com  
nmmclaughlin@vorys.com

*Attorneys for Defendant*

/s/Joseph H. Chivers

Joseph H. Chivers, Esquire  
First & Market Building  
Suite 1010  
100 First Avenue  
Pittsburgh, PA 15222-1514  
[jchivers@employmentrightgroup.com](mailto:jchivers@employmentrightgroup.com)  
Phone: (412) 227-0763  
Facsimile: (412) 281-8481

John R. Linkosky, Esquire  
715 Washington Avenue  
Carnegie, PA 15106-4107  
[linklaw@comcast.net](mailto:linklaw@comcast.net)  
Phone: (412) 278-1280  
Facsimilar: (412) 278-1282

*Attorneys for Plaintiffs*